

Compliance with Mixed Use Design Guidelines

25.13.06 – Additional Design Guidelines

a. Purpose. It is the purpose of this section to establish guidelines that will promote the highest quality of development in the Mixed Use Zones. New development or redevelopment should be consistent with the intent and purpose of the following guidelines.

b. Aesthetic and Visual Characteristics for All Zones

1. *Facades and Exterior Walls Including Sides and Backs* – Buildings should be designed in a way that avoids massive scale and uniform and impersonal appearance and that will provide visual interest consistent with the community's identity, character, and scale. It is recommended that building walls greater than 100 feet long include projections, recessions, or other treatments sufficient to reduce the unbroken massing of the façade along all sides of the building facing public streets.

The facades along both Dawson Avenue and Maryland Avenue exceed 100 feet. They consist primarily of vertical groupings of windows, defined by brick columns, that incorporate projecting bays and recessed balconies. The building has been designed with a vertical emphasis of the corner with glass to meet this requirement.

- (a) Along any public street frontage building, design should include windows, arcades, awnings or other acceptable features along at least 60 percent of the building length. Arcades and other weather protection features must be of sufficient depth and height to provide a light-filled and open space along the building frontage. Architectural treatment, similar to that provided to the front facade must be provided to the sides and rear of the building to mitigate any negative view from any location off-site and any public area (e.g. parking lots, walkways, etc.) on site. *The proposed design incorporates large windows and glass entrances along the entire length of the street facades, well in excess of the 60 percent requirement. A suspended metal canopy is provided at the ground floor along the entire Dawson Avenue façade, as well as at the primary building entrance on Maryland Avenue, at a depth of six feet, sufficient to provide a sheltering element at the retail storefronts and residential entrance. In addition, the building has been designed with similar architectural treatment on all sides, including the courtyard and western façade, which will be partially visible from North Washington Street.*

- (b) Buildings should include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall along those sides fronting on public streets with color, texture change, wall offsets, reveals, or projecting ribs. *At the pedestrian level, the building will be a mix of storefronts, entrances, and a recessed area at the corner for outdoor dining. This rhythm is broken up by the brick column elements, with glass storefronts in between allowing retailers to construct an individual storefront design and provide visual interest from inside the establishments.*

2. *Roofs* – Roof design should provide variations in rooflines where appropriate and add interest to, and reduce the massive scale of, large buildings. Roof features should complement the architectural and visual character of adjoining neighborhoods. Roofs should include two (2) or more roof planes. Parapet walls should be architecturally treated to avoid a plain, monotonous look. For energysaving purposes, roof design should also include a light color surface or be planted with vegetation. *The proposed roof design includes a cornice line at the 6th story, along with a change of materials, that emphasizes the upper story of the building. The roofline itself has*

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been designed to emphasize the corner of Maryland and Dawson Avenues, by having the roof project above the surrounding roof and parapet, which is the subject of a waiver request. The building incorporates a green roof into its design, and is proposed to be a light color in areas not covered by green roof.

3. Materials and Color

- (a) *General Provisions* - Buildings should have exterior building materials and colors that are compatible with materials and colors that are used in adjoining neighborhoods. Certain types of colors should be avoided such as fluorescent or metallic, although brighter colors may be considered at the discretion of the Planning Commission. *The building materials will include brick, metal panels and glass elements, compatible in design with the Bank of America building now under construction and immediately adjacent. Similar materials have been approved in the past, and are also now proposed for the Cornerstone/Kettler development immediately to the south. Colors are proposed to not be fluorescent or metallic, as shown in the color renderings.*
- (b) *Materials Not Desired* - Construction materials such as tilt-up concrete, smooth-faced concrete block, prefabricated steel panels, and other similar materials should be avoided unless the exterior surface is covered. *None of these or similar materials are proposed.*

4. Items Allowed Not Facing a Public Street - The following items are only allowed either on sides not facing a public street or in the rear yard:

- (a) Window and wall air conditioners;
- (b) Electric utility meters;
- (c) Air conditioning compressors; and
- (d) Irrigation and pool pumps. *Window and wall air conditioners and irrigation and pool pumps will not be provided. Air conditioning condenser units are proposed to be located on the roof, typical for multifamily buildings. The electric meter will not be in the front yard of the building or facing the public street.*

- 5. *Entryways* – Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances. *The residential entrance on Maryland Avenue will be indicated by a suspended metal canopy and emphasized by a change in the window type on the façade above the entrance. The courtyard entrance to the building will be signified by an entrance canopy extending from the entry porch to the dropoff area. Storefront entrances will be designed as such, and will be located adjacent to the public sidewalk.*
- 6. *Screening of Mechanical Equipment* – Mechanical equipment must be screened to mitigate noise and views in all directions. If roof-mounted, the screen must be designed to conform architecturally to the design of the building either with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable. *Air conditioning condenser units will be located on the roof of the building, and screened by a parapet wall ranging between three and six feet, sufficient to screen the units and designed to be indistinguishable from the rest of the building façade.*

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c. Site Design and Relationship to Surrounding Community

1. *Vehicular Access* – In the MXTD, MXCD, and MXE zones, each site must provide safety and protection to adjacent residential uses by having motor vehicle access only from an arterial, major, or business district road as designated in the Plan. *Vehicular access will be from North Washington Street, a Business District road, with an alternative exit onto Dawson Avenue, also a Business District road.*
2. *Buffers* – Each site must provide visual and noise buffers to nearby residential uses. This can be accomplished by providing a substantial building setback from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to any property line where it adjoins residential uses or zones. The landscape buffer should include a variety of tree types at regular intervals with groupings of trees to provide noise, light, and visual screening. No other uses, such as, but not limited to, parking or storage, are permitted within the buffer area. *This section applies to adjacent or nearby single unit residential uses, of which there are none.*
3. *Outdoor Sales and Storage*
 - (a) General Standards - Areas for outdoor sales of products may be permitted if they are extensions of the sales floor into which patrons are allowed free access. Such areas must be incorporated into the overall design of the building and landscaping and must be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall be similar in materials and colors to those that are predominantly used on the building facade. Outdoor sales areas shall be considered as part of the gross floor area of the retail establishment, except for motor vehicle and trailer sales. *No outdoor sales area is proposed.*
 - (b) *Prohibition of Certain Sales and Storage* - Outdoor storage of products in an area where customers are not permitted is prohibited. This prohibition includes outdoor storage sheds and containers. Outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed. *No outdoor storage area or outdoor storage of motor vehicles is proposed.*
4. *Trash Recycling, Waste Oil/Grease Collection Area*
 - (a) *Location* - Trash, recycling, and waste oil/grease collection areas must be located at least 50 feet from any residential use, residentially zoned property, or street that is adjacent to the site, unless such operations are located entirely within an enclosed building or underground. All such areas must be properly covered or secured. *Trash collection areas are located within the building and parking garage. Trash pickup will occur from the loading area, which is more than 100 feet from North Washington Street.*
 - (b) *Screening* - All trash recycling, and waste oil/grease collection areas that are not within an enclosed building or underground must be properly secured and covered and screened or recessed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these

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areas must conform to the predominant materials used on the site. *Trash collection areas are located within the building and parking garage.*

5. *Parking Lots and Structures*

(a) *Parking Area Standards* - Parking areas must provide safe, convenient, and efficient access. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping should be used to define parking areas, primary vehicular drives, and pedestrian areas in an aesthetically and environmentally pleasing manner. *All parking spaces are located under the building in a below grade structure, and are conveniently reached by elevator. The vehicular dropoff lane and pedestrian ways are landscaped appropriately.*

(b) *Parking Structure Appearance* - Parking structure facades should achieve the same high quality design and appearance as the buildings they serve. The parking structures' utilitarian appearance should be minimized by utilizing effective design treatments such as colonnades, planted ("green") walls, arcades, awnings, street furniture and other public amenities. Compatible materials, coordinated landscaping and screening, appropriate building color, sensitive lighting, and signage should all be considered for garage facades. *The proposed parking spaces are all subterranean, with no exposed facades.*

6. *Pedestrian and Bicycle Flows* – Each site must provide for pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development of the project. Continuous internal pedestrian walkways, no less than six feet (6') in width should be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Sidewalks should also connect retail uses to transit stops on or off-site and to nearby residential neighborhoods. Sidewalks should be provided along the full length of any building where it adjoins a parking lot. On-site bicycle travel must be provided in accordance with Section 25.16.06. *The proposed development provides for public sidewalks along its street frontages in excess of requirements, which allows connections to nearby transit services and residential areas. It also provides for a 7-foot sidewalk connecting the dropoff area to the building entrance, and 5-foot sidewalk along the length of the dropoff lane that connects to the public sidewalk on Dawson Avenue. Staff finds this to be sufficient, as the 5-foot sidewalk is not a primary pedestrian movement. The Zoning Ordinance requires bike paths where necessary for safety. However, the urban orientation and compact nature of the building, vehicular travelways may be used to access the bike parking spaces onsite.*

7. *Central Features and Community Spaces* – Development should provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on-site or along the street. Customer dropoff/ pick-up points that may be provided should also be integrated into the design and should not conflict with traffic lanes or pedestrian paths. Special design features such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces should anchor pedestrian ways. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these areas. *The project will include a*

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courtyard for residents and visitors that will provide for a semi-private outdoor area. The project proposes a dropoff area for residents, connected to the building across the courtyard via a covered walkway, with the dropoff area itself is separated from the bypass lane for the adjacent drive-through bank. This covered pedestrian way, in addition to being defined by the canopy, is defined by green area on either side. Public window-shopping areas found along the public streets, so at least two of the special design features are provided.

8. Delivery and Loading Spaces, Hours of Operation

- (a) *Design* - Delivery and loading operations must be designed in accordance with the provisions of Article 16 and located so as to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations must not be permitted between 10 p.m. and 7 a.m. For good cause shown, the Planning Commission may permit deliveries at additional times provided the applicant submits evidence that sound barriers between all areas for such operations effectively reduce emissions to a level of 55 dB or less, as measured at the lot line of any adjoining property. Delivery and loading areas should be substantially set back from a residential use or residentially zoned property that is adjacent to the site. A landscape buffer of substantial width should be provided adjacent to the delivery and loading area where it adjoins residential uses or zones. The landscape buffer should include evergreen shrubs and/or trees plus deciduous canopy trees at regular intervals, as appropriate, to provide light, and visual screening. If the delivery and loading spaces are located within an enclosed building or underground, no such setback and buffer area shall be required. *Article 16 requires that any building within a mixed-use zone provide adequate off-street loading space, taking into account the size of the building and the uses served. Each loading space is required to have a minimum width of 12 feet, clearance height of 14 feet and sufficient depth to accommodate the trucks reasonably likely to serve the building. Trucks parked in the loading space must not obstruct pedestrian or vehicular traffic, and must not project into the public right-of-way. The proposed loading space measures 12 feet by 40 feet, with sufficient vertical clearance, being located adjacent to but not within the building. It is located in the center of the block, away from the public right-of-way. Deliveries will not be permitted between 10 p.m. and 7 a.m. The proposed loading area is not located near single-unit residential uses, and while it is in proximity to multifamily uses located in upper stories, the service area is entirely within the building.*
- (b) *Parking of Delivery Trucks* - Delivery trucks must not be parked in close proximity to or within a designated delivery or loading area during nondelivery hours with motor and/or refrigerators/generators running, unless the area where the trucks are parked is set back at least 50 feet from residential property to mitigate the truck noise. *The applicant must comply with this requirement, as the proposed loading area is not set back at least 50 feet from residential uses on this property or proposed residential uses on adjacent properties.*
- (c) *Screening* - The delivery and loading areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen must be of masonry or other suitable opaque material and at least ten feet (10') high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock. *The loading area is not a loading dock, but a delivery area*

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- adjacent to the vehicular dropoff area, with a service door accessing a service corridor with the building on the ground floor.*
9. *Ancillary Uses* – The applicant must demonstrate that any ancillary uses will not have negative impacts on adjacent residential uses, residentially zoned properties or adjacent properties. Any ancillary use should be oriented to face away from any residential use or residentially zoned property that is adjacent to the site. *No ancillary uses are proposed on the site.*
 10. *Noise Abatement* – A noise mitigation plan must be provided that indicates how the noise initiated by the land use will be mitigated to comply with noise regulations applicable in the City of Rockville. This includes compliance with the noise regulations set forth in Chapter 31B of the Montgomery County Code. *The development must comply with noise regulations in the County Code, although it is not expected to generate noise that would be in violation.*
 11. *Outdoor Lighting* – Outdoor lighting shall be in conformance with the Landscaping, Screening and Lighting manual. *The proposed lighting is reviewed for compliance with the manual prior to issuance of a building permit. The requirements include minimum lighting requirements for pedestrians, and not causing glare off the property from light fixtures.*
 12. *Landscaping* – Landscaping shall be in conformance with the Landscaping Screening and Lighting manual. *The proposed landscaping complies with the manual, as the landscaping requirements are for parking lot interior and perimeter landscaping primarily.*

25.13.07 – Special Design Regulations for Individual Mixed-Use Zones

a. *Mixed Use Transit District Zone (MXTD)...*

b. *Mixed-Use Corridor District Zone (MXCD)* – This zone is intended for areas along major highway corridors in areas near the MXTD Zone. It allows for moderate density development of retail, office, service, and residential uses. Because of the nature of the locations where it is applied, the zone provides some flexibility in the siting of buildings relative to major highways to accommodate service drives and required parking.

1. *Building Location* – In order to meet the intent of the Plan, buildings in the MXCD Zone should be located at the front property line or the build-to line where established by the Plan. Access should be to the rear, via alleys with access from the side street(s). *The proposed building is located at the front property lines along Maryland Avenue and Dawson Avenues. Vehicular access is from North Washington Street, via a shared access point with the Bank of America building and the Kettler project. Vehicles may also exit via a shared exit point with Bank of America onto Dawson Avenue.*
2. *Uses by Floor* – The ground floor must contain retail or service uses dealing directly with the public along those streets designated in the Plan as major pedestrian spines. Ground floor retail is the preferred use along other streets, but is not required. The ground floor should normally have a ceiling height of at least 15 feet. At the time of site plan review or Project Plan review, the Approving Authority may consider a lower ceiling height if appropriate in the particular circumstance. The upper floors may be additional commercial, residential, or a combination of uses. If the building contains only residential units, the ground floor may consist of residential

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units, but should be designed to facilitate conversion to retail or other commercial uses. *The applicant proposes to locate a community/public use space, a restaurant which serves the on-site community and the public, as well as a café with indoor and outdoor dining at the corner along Maryland Avenue, which is a major pedestrian spine. All of these uses provide access to the general public. Two retail spaces are proposed along Dawson Avenue. While the proposed ceiling height of some ground level spaces is 12 feet, staff finds that this height will be sufficient, given these spaces will be programmed as publicly accessible, retail or restaurant space related to the Brightview community. The upper floors will be in residential use, occupied by senior housing.*

3. *Facades* – The façade design must be consistent with the standards set forth in subsection 25.13.05.b.2(b). Where the façade height exceeds 35 feet, the façade should include an expression line above the first floor level and a defined cornice line at the top of the façade wall. *The standards found in Sec. 25.13.05 provide that the buildings should have a range of heights of between 35 and 50 feet at the street, with 75 feet permitted at the street if approved by the Planning Commission or if recommended by the Master Plan. Staff finds that the 75 feet height at the street line is consistent with built and approved projects in the Town Center, particularly Town Square. In addition, the design includes an expression line above the first floor and a defined cornice line above the sixth floor, with the change of materials at the seventh floor functioning as a defined cornice line.*
4. *Fenestration* - Generally, fenestration of the stories above the ground floor should be by framed individual windows. Continuous strip windows may be allowed by the Planning Commission if they are used to maintain compatibility with existing contiguous projects. *The project includes framed windows, and groupings of framed windows, in keeping with the design of a residential development. Window groupings have helped the design comply with other aspects of the design guidelines, and are not continuous strip windows.*
5. *Sidewalks* – Where sidewalks must be built new or rebuilt as part of redevelopment, they should comply with the provisions of Section 25.17.05. *Proposed sidewalks will meet or exceed the seven-foot tree lawn and six-foot clear path required by Sec. 25.17.05. Staff notes that the sidewalk along the Maryland Avenue frontage will not be constructed initially, but with construction of Maryland Avenue itself.*
6. *Parking* – On-site parking must comply with the standards and requirements of Article 16. Most parking should be located to the side or in the rear of the buildings. Structured parking, either above or below grade, is preferred. Any parking structure facades visible from the street or a transitway must be treated in a similar manner as the primary building facades. All parking at the sides or rear must be screened to prevent vehicle headlights from shining into adjoining residential properties. *The proposed parking associated with this building will be below grade, with no visible facades.*